

86TH CONGRESS
1ST SESSION

H. R. 3880

*HR 4803 identical
worded Bill introduced
by Mr Jackson on 10
Feb 19, 1959.*

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1959

Mr. HERLONG introduced the following bill; which was referred to the Committee on Un-American Activities

A BILL

To create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Freedom
5 Commission Act".

6 CONGRESSIONAL FINDINGS AND STATEMENT OF POLICY

7 SEC. 2. (a) The Congress of the United States makes
8 the following findings:

9 (1) The Soviet Union and Communist China are wag-

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1 ing a total political war against the United States and
2 against the peoples and governments of all other nations of
3 the free world.

4 (2) Unlike the free world, the Soviet Union has sys-
5 tematically prepared for this total political war over several
6 decades. Drawing on the experience of previous conquerors
7 and upon their own elaborate studies and extensive pragmatic
8 tests, the Soviet leaders have developed their conspiratorial
9 version of political warfare into a highly effective operational
10 science. Recognizing that political warfare is a difficult
11 science making unusual demands on its practitioners, the
12 Soviet Union and Communist China have established an
13 elaborate network of training schools, within and without the
14 free world, in which have been trained large numbers of
15 highly skilled activists. These activists continue to receive
16 intensive continuous training throughout their party careers.

17 (3) In this total political war the Soviets permit no
18 neutrals. Every citizen, every economic, cultural, religious,
19 or ethnic group is a target and is under some form of direct
20 or indirect Communist attack. The battleground is every-
21 where, and every citizen, knowingly or unknowingly,
22 through action or inaction, is involved in this continuous
23 struggle.

24 (4) Since the end of World War II, the Soviets, tak-
25 ing full advantage of their better preparation and often supe-

1 rior organizational and operational know-how, have inflicted
2 a series of political warfare defeats on the free world. The
3 total sum of these defeats is nothing less than a disaster
4 for the United States and the free world and the continua-
5 tion of this political war by the Soviets confronts the United
6 States with a grave, present, and continuing danger to its
7 national survival.

8 (5) In order to defeat the Soviet political warfare
9 offensive and to preserve the integrity and independence of
10 the nations of the free world, it is imperative—

11 (A) that the knowledge and understanding of all
12 the peoples of the free world concerning the true nature
13 of the international Communist conspiracy be increased
14 as rapidly as is practicable;

15 (B) that private citizens not only understand the
16 true nature of the international Communist conspiracy,
17 but that they also know how they can participate, and
18 do participate, in this continuous struggle in an effective,
19 sustained, and systematic manner;

20 (C) that Government personnel engaged in the cold
21 war increase their knowledge of the international Com-
22 munist conspiracy, develop a high esprit de corps and
23 sense of mission and a high degree of operational know-
24 how in counteracting the international Communist
25 conspiracy.

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1 (b) It is the intent and purpose of the Congress that
2 the authority and powers granted in this Act be fully utilized
3 by the hereinafter created Commission to achieve the objec-
4 tives set forth in the preceding subsection (a) (5) of this
5 section. It is the further intent and purpose of the Congress
6 that the authority, powers, and functions of the Commission
7 and the Academy as hereinafter set forth are to be broadly
8 construed.

9

DEFINITIONS

10 SEC. 3. When used in this chapter—

11 (1) The term "Commission" means the Freedom Com-
12 mission;

13 (2) The term "Academy" means the Freedom Acad-
14 emy; and

15 (3) The term "joint committee" means the Joint Con-
16 gressional Freedom Committee.

17 ESTABLISHMENT OF THE FREEDOM COMMISSION; COMPOSI-
18 TION; CHAIRMAN AND ACTING CHAIRMAN; QUORUM;
19 OFFICIAL SPOKESMAN; SEAL

20 SEC. 4. There is established in the executive branch
21 of the Government an independent agency to be known as
22 the Freedom Commission which shall be composed of six
23 members and a Chairman, each of whom shall be a citizen
24 of the United States. The Chairman may from time to
25 time designate any other member of the Commission as

1 Acting Chairman to act in the place and stead of the Chair-
2 man during his absence. The Chairman (or the Acting
3 Chairman in the absence of the Chairman) shall preside at
4 all meetings of the Commission and a quorum for the trans-
5 action of business shall consist of at least four members
6 present. Each member of the Commission, including the
7 Chairman, shall have equal responsibility and authority in
8 all decisions and actions of the Commission, shall have full
9 access to all information relating to the performance of his
10 duties or responsibilities, and shall have one vote. Action
11 of the Commission shall be determined by a majority vote
12 of the members present. The Chairman (or Acting Chair-
13 man in the absence of the Chairman) shall be the official
14 spokesman of the Commission in its relations with the Con-
15 gress, Government agencies, persons, or the public, and,
16 on behalf of the Commission, shall see to the faithful execu-
17 tion of the policies and decisions of the Commission, and
18 shall report thereon to the Commission from time to time
19 or as the Commission may direct. The Commission shall
20 have an official seal which shall be judicially noticed.

21 MEMBERS; APPOINTMENTS; TERMS; COMPENSATION;

22 EXTRANEIOUS BUSINESS

23 SEC. 5. (a) Members of the Commission and the Chair-
24 man shall be appointed by the President, by and with the
25 advice and consent of the Senate. Not more than four

1 members, including the Chairman, may be members of any
2 one political party. In submitting any nomination to the
3 Senate, the President shall set forth the experience and quali-
4 fications of the nominee. The term of each member of the
5 Commission, other than the Chairman, shall be six years,
6 except that (1) the terms of office of the members first tak-
7 ing office shall expire as designated by the President at the
8 time of the appointment, two at the end of two years, two at
9 the end of four years, and two at the end of six years; and
10 (2) any member appointed to fill a vacancy occurring prior
11 to the expiration of the term for which his predecessor was
12 appointed shall be appointed for the remainder of such
13 term. The Chairman shall serve during the pleasure of the
14 President. Any member of the Commission may be removed
15 by the President for inefficiency, neglect of duty, or mal-
16 feasance in office. Each member, except the Chairman,
17 shall receive compensation at the rate of \$20,000 per annum;
18 and the Chairman shall receive compensation at the rate of
19 \$20,500 per annum.

20 (b) No member of the Commission shall engage in any
21 business, vocation, or employment other than that of serving
22 as a member of the Commission.

1 AUTHORIZATION TO ESTABLISH THE FREEDOM ACADEMY;

2 FUNCTIONS

3 SEC. 6. The Commission is authorized and empowered
4 to establish under its supervision and control an advanced
5 training and development center to be known as the Freedom
6 Academy. The Academy shall be located at such place or
7 places within the United States as the Commission shall
8 determine. The principal functions of the Academy shall
9 be—

10 (1) the development of systematic knowledge
11 about the international Communist conspiracy;

12 (2) the development of counteraction to the inter-
13 national Communist conspiracy into an operational
14 science that befits and bespeaks the methods and values
15 of freemen, and to achieve this purpose the entire area
16 of counteraction is to be thoroughly explored and studied
17 with emphasis on the methods and means that may best
18 be employed by private citizens and nongovernmental
19 organizations and the methods and means available to
20 Government agencies other than the methods and means
21 already being used;

22 (3) the education and training of private citizens

1 concerning all aspects of the international Communist
2 conspiracy and in the science of counteraction to that
3 conspiracy;

4 (4) the education and training of persons in Gov-
5 ernment service concerning all aspects of the interna-
6 tional Communist conspiracy and in the science of
7 counteraction to that conspiracy to the end that they can
8 be more useful to their Government in defeating the
9 international Communist conspiracy.

10 ACADEMY STUDENTS; SELECTION; GRANTS AND EXPENSES;
11 ADMISSION AS NONIMMIGRANT VISITORS; DEPORTA-
12 TION

13 SEC. 7. (a) Academy students shall be selected, insofar
14 as is practicable and in the public interest, from a cross
15 section of the diverse groups, within and without the United
16 States, in which the total political war is being fought.
17 Before accepting any student for training who is an officer
18 or employee of a Government agency, the Commission shall
19 first obtain the concurrence of that agency. Persons in
20 Government service coming within the provisions of the
21 Government Employees Training Act may be trained at the
22 Academy pursuant to the provisions of said Act. All other
23 agencies and departments of Government are authorized to
24 aid and assist the Commission in the selection of students.

1 (b) The Commission is authorized to make grants to
2 students and to pay expenses incident to training and study
3 under this chapter. This authorization shall include au-
4 thority to pay travel expenses to and from the Academy
5 or other authorized place of training under this chapter, and
6 authority to give financial assistance to the dependents of
7 students during the time they are undergoing training au-
8 thorized under this Act. Foreign students selected for train-
9 ing under this Act shall be admitted as nonimmigrants under
10 section 1101(a) (15) of title 8, United States Code, for
11 such time and under such conditions as may be prescribed
12 by regulations promulgated by the Commission, the Sec-
13 retary of State, and the Attorney General. A person ad-
14 mitted under this section who fails to maintain the status
15 under which he was admitted, or who fails to depart from
16 the United States at the expiration of the time for which
17 he was admitted, or who engages in activities of a political
18 nature detrimental to the interest of the United States, or
19 in activities in conflict with the security of the United States,
20 shall, upon the warrant of the Attorney General, be taken
21 into custody and promptly deported pursuant to sections
22 1251-1253 of title 8, United States Code. Deportation
23 proceedings under this section shall be summary and findings

1 of the Attorney General as to matters of fact shall be con-
2 clusive. Such persons shall not be eligible for suspension of
3 deportation under section 1254 of such title 8.

4 NON-ACADEMY TRAINING OF ACADEMY STUDENTS

5 SEC. 8. The Commission is authorized to provide stu-
6 dents selected for training at the Academy (either before,
7 after, or during Academy training) with such additional edu-
8 cation and training at colleges, universities, or technical
9 schools other than the Academy, or with such on-the-job
10 training in industry and business as the Commission shall
11 determine to be in the public interest.

12 AUTHORIZATION TO ESTABLISH AN INFORMATION CENTER

13 SEC. 9. The Commission is authorized to establish an
14 information center at such place or places within the United
15 States as the Commission may determine. The principal
16 function of the information center shall be to disseminate
17 with or without charge information and materials which will
18 assist persons and organizations to increase their under-
19 standing of the true nature of the international Communist
20 conspiracy and the ways and means of defeating that con-
21 spiracy. In carrying out this function, the Commission is
22 authorized to prepare, make, and publish textbooks and other
23 materials, including training films, suitable for high school,
24 college, and community level instruction. The Commission
25 is authorized to disseminate such information and materials

1 to such persons and organizations as may be in the public
2 interest on such terms and conditions as the Commission
3 shall determine.

4 RESTRICTIONS ON DISCLOSURE OF INFORMATION

5 SEC. 10. Nothing in this chapter shall authorize the dis-
6 closure of any information or knowledge in any case in which
7 such disclosure (1) is prohibited by any other law of the
8 United States, or (2) is inconsistent with the security of the
9 United States.

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10 SECURITY CHECK OF PERSONNEL

11 SEC. 11. (a) Except as authorized by the Commission
12 upon a determination by the Commission that such action is
13 clearly consistent with the national interest, no individual
14 shall be employed by the Commission until such individual
15 has been investigated by the Civil Service Commission to
16 determine whether the said individual is a good security risk
17 and a report thereof has been made to the Freedom
18 Commission.

19 (b) In addition to the foregoing provisions, the Com-
20 mission may request that any individual employed by the
21 Commission, or under consideration for employment by the
22 Commission, be investigated by the Federal Bureau of In-
23 vestigation to determine whether the said individual is a good
24 security risk.

1 GENERAL AUTHORITY OF THE COMMISSION

2 SEC. 12. In addition to the authority already granted,
3 the Commission is authorized and empowered—

4 (1) to establish such temporary or permanent
5 boards and committees as the Commission may from
6 time to time deem necessary for the purposes of this
7 Act;

8 (2) to appoint and fix the compensation of such
9 personnel as may be necessary to carry out the functions
10 of the Commission. Such personnel shall be appointed
11 in accordance with the civil service laws and their com-
12 pensation fixed in accordance with the Classification
13 Act of 1949, as amended, except that, to the extent the
14 Commission deems such action necessary to the dis-
15 charge of its responsibilities, personnel may be employed
16 and their compensation fixed without regard to such
17 laws: *Provided, however.* That no personnel (except
18 such personnel whose compensation is fixed by law, and
19 specially qualified professional personnel up to a limit
20 of \$19,000) whose position would be subject to the
21 Classification Act of 1949, as amended, if such Act were
22 applicable to such position, shall be paid a salary at a
23 rate in excess of the rate payable under such Act for
24 positions of equivalent difficulty or responsibility. The
25 Commission shall make adequate provision for admin-

1 istrative review of any determination to dismiss any
2 employee;

3 (3) to conduct such research, studies and surveys as
4 necessary to carry out the purposes of this Act;

5 (4) to make, promulgate, issue, rescind, and amend
6 such rules and regulations as may be necessary to carry
7 out the purposes of this Act;

8 (5) to make such expenditures as may be necessary
9 for administering and carrying out the provisions of this
10 Act;

11 (6) to utilize, with the approval of the President,
12 the services, facilities, and personnel of other Govern-
13 ment agencies. Whenever the Commission shall use the
14 services, facilities, or personnel of any Government
15 agency for activities under the authority of this Act, the
16 Commission shall pay for such performance out of funds
17 available to the Commission under this Act, either in
18 advance, by reimbursement, or by direct transfer;

19 (7) to utilize or employ on a full- or part-time basis,
20 with the consent of the organization or governmental
21 body concerned, the services of personnel of any State
22 or local government or private organization to perform
23 such functions on its behalf as may appear desirable to
24 carry out the purposes of this Act, without said person-
25 nel severing their connection with the furnishing organ-

1 ization or governmental body; and further to utilize per-
2 sonnel of a foreign government in the same manner and
3 under the same circumstances with the approval of the
4 Secretary of State;

5 (8) to acquire by purchase, lease, loan, or gift, and
6 to hold and dispose of by sale, lease, or loan, real and
7 personal property of all kinds necessary for, or resulting
8 from, the exercise of authority granted by this Act;

9 (9) to receive and use funds donated by others, if
10 such funds are donated without restrictions other than
11 that they be used in furtherance of one or more of the
12 purposes of this Act;

13 (10) to accept and utilize the services of vol-
14 untary and uncompensated personnel and to provide
15 transportation and subsistence as authorized by section
16 73b-2 of title 5, United States Code, for persons serving
17 without compensation;

18 (11) to utilize the services of persons on a tempo-
19 rary basis and to pay their actual and necessary travel
20 expenses and subsistence and in addition compensation
21 at a rate not to exceed \$50 per day for each day spent
22 in the work of the Commission.

23 GENERAL MANAGER; APPOINTMENT; COMPENSATION

24 SEC. 13. The Commission is authorized to establish
25 within the Commission a General Manager, who shall dis-

1 charge such of the administrative and executive functions of
2 the Commission as the Commission may direct. The Gen-
3 eral Manager shall be appointed by the Commission, shall
4 serve at the pleasure of the Commission, shall be removable
5 by the Commission, and shall receive compensation at a rate
6 determined by the Commission, but not in excess of \$18,000
7 per annum.

8 ESTABLISHMENT OF JOINT CONGRESSIONAL FREEDOM
9 COMMITTEE; MEMBERSHIP

10 SEC. 14. There is established the Joint Congressional
11 Freedom Committee hereinafter referred to as the "joint com-
12 mittee" to be composed of seven Members of the Senate to
13 be appointed by the President of the Senate, and seven Mem-
14 bers of the House of Representatives to be appointed by the
15 Speaker of the House of Representatives. In each instance
16 not more than four Members shall be the members of the
17 same political party.

18 AUTHORITY AND DUTY OF JOINT COMMITTEE

19 SEC. 15. The joint committee shall make continued
20 studies of the activities of the Commission and of problems
21 relating to the development of counteraction to the inter-
22 national Communist conspiracy. During the first sixty days
23 of each session of the Congress the joint committee shall
24 conduct hearings in either open or executive session for the
25 purposes of receiving information concerning the develop-

1 ment and state of counteraction. The Commission shall keep
2 the joint committee fully and currently informed with re-
3 spect to all of the Commission's activities. All bills, reso-
4 lutions, and other matters in the Senate or House of
5 Representatives relating primarily to the Commission shall
6 be referred to the joint committee. The members of the
7 joint committee who are Members of the Senate shall from
8 time to time report to the Senate and the members of the
9 joint committee who are Members of the House of Repre-
10 sentatives shall from time to time report to the House, by
11 bill or otherwise, their recommendations with respect to mat-
12 ters within the jurisdiction of their respective Houses which
13 are referred to the joint committee, or otherwise within the
14 jurisdiction of the joint committee.

15 CHAIRMAN AND VICE CHAIRMAN OF JOINT COMMITTEE;

16 VACANCIES IN MEMBERSHIP.

17 SEC. 16. Vacancies in the membership of the joint com-
18 mittee shall not affect the power of the remaining members
19 to execute the functions of the joint committee, and shall be
20 filled in the same manner as in the case of the original se-
21 lection. The joint committee shall select a chairman and a
22 vice chairman from among its members at the beginning of
23 each Congress. The vice chairman shall act in the place
24 and stead of the chairman in the absence of the chairman.
25 The chairmanship shall alternate between the Senate and the

1 House of Representatives with each Congress, and the chair-
2 man shall be selected by the members from that House
3 entitled to the chairmanship. The vice chairman shall be
4 chosen from the House other than that of the chairman by
5 the members from that House.

6 POWERS OF JOINT COMMITTEE

7 SEC. 17. In carrying out its duties under this chapter,
8 the joint committee, or any duly authorized subcommittee
9 thereof, is authorized to hold such hearings or investigations,
10 to sit and act at such places and times, to require by sub-
11 pena or otherwise, the attendance of such witnesses and the
12 production of such books, papers, and documents, to admin-
13 ister such oaths, to take such testimony, to procure such
14 printing and binding, and to make such expenditures as it
15 deems advisable. The joint committee may make such rules
16 respecting its organization and procedures as it deems neces-
17 sary: *Provided, however,* That no measure or recommenda-
18 tion shall be reported from the joint committee or by any
19 member designated by him or by the joint committee, and
20 may be served by such person or persons as may be desig-
21 nated by such chairman or member. The chairman of the
22 joint committee or any member thereof may administer oaths
23 to witnesses. The joint committee may use a committee
24 seal. The provisions of sections 192-194 of title 2, United
25 States Code, shall apply in case of any failure of any wit-

1 ness to comply with a subpoena or to testify when summoned
2 under authority of this section. The expenses of the joint
3 committee shall be paid from the contingent fund of the
4 Senate from funds appropriated for the joint committee upon
5 vouchers approved by the chairman. The cost of steno-
6 graphic services to report public hearings shall not be in
7 excess of the amounts prescribed by law for reporting the
8 hearings of standing committees of the Senate. The cost of
9 stenographic services to report executive hearings shall be
10 fixed at an equitable rate by the joint committee. Mem-
11 bers of the joint committee, and its employees and consult-
12 ants, while traveling on official business for the joint com-
13 mittee, may receive either the per diem allowance authorized
14 to be paid to Members of Congress or its employees, or their
15 actual and necessary expenses provided an itemized state-
16 ment of such expenses is attached to the voucher.

17 STAFF AND ASSISTANCE; UTILIZATION OF FEDERAL
18 DEPARTMENTS AND AGENCIES; ARMED PROTECTION

19 SEC. 18. The joint committee is empowered to appoint
20 and fix the compensation of such experts, consultants, and
21 staff employees as it deems necessary and advisable. The
22 joint committee is authorized to utilize the services, informa-
23 tion, facilities, and personnel of the departments and
24 establishments of the Government.

1 CLASSIFICATION OF INFORMATION BY JOINT COMMITTEE

2 SEC. 19. The joint committee may classify information
3 originating within the committee in accordance with stand-
4 ards used generally by the executive branch for classifying
5 restricted data or defense information.

6 RECORDS OF JOINT COMMITTEE

7 SEC. 20. The joint committee shall keep a complete
8 record of all committee actions, including a record of the
9 votes on any question on which a record vote is demanded.
10 All committee records, data, charts, and files shall be the
11 property of the joint committee and shall be kept in the
12 offices of the joint committee or other places as the joint
13 committee may direct under such security safeguards as the
14 joint committee shall determine in the interest of the com-
15 mon defense and security.

16 APPROPRIATIONS

17 SEC. 21. There is authorized to be appropriated, out of
18 any money in the Treasury not otherwise appropriated, so
19 much as may be necessary to carry out the provisions of
20 this Act.

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